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Attorneys for Defendant Abu Dhabi Investment Authority

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC,

Plaintiff,

v.

Abu Dhabi Investment Authority,

Defendant.

S.D.N.Y. Case No. _____

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 11-02493 (CGM)

NOTICE OF APPEAL

NOTICE OF APPEAL

Part 1: Identify the appellant(s)

1. Name(s) of appellant(s):
Abu Dhabi Investment Authority
2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

☐ Plaintiff

☒ Defendant

☐ Other (describe) _____

For appeals in a bankruptcy case
and not in an adversary proceeding.

☐ Debtor

☐ Creditor

☐ Trustee

☐ Other (describe) _____

Part 2: Identify the subject of this appeal

1. Describe the judgment, order, or decree appealed from:
Order denying Abu Dhabi Investment Authority's Motion to Dismiss the Complaint
on the basis of Abu Dhabi Investment Authority's immunity under the Foreign
Sovereign Immunities Act. The Order (Dkt. 130) is attached as **Exhibit A**, and the
Memorandum Decision (Dkt. 126) is attached as **Exhibit B**.
2. State the date on which the judgment, order, or decree was entered: 11/3/2022

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

- | | |
|--|---|
| 1. Party: Plaintiff-Appellee
IRVING H. PICARD,
Trustee for the
Liquidation of Bernard
L. Madoff Investment
Securities LLC and the
Chapter 7 Estate of
Bernard L. Madoff | Attorneys: David J. Sheehan
Keith R. Murphy
Eric B. Hiatt
Anat Maytal
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| 2. Party: Defendant-Appellant
Abu Dhabi Investment
Authority | Attorneys: Marc L. Greenwald
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Part 4: Optional election to have appeal heard by district court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

[Not applicable—No Bankruptcy Appellate Panel in this District.]

☐ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

Part 5: Sign below

/s/ Marc L. Greenwald
Signature of attorney for appellant

Dated: 11/16/2022

Name, address, and telephone number of
attorney:

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Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

[Note to inmate filers: If you are an inmate filer in an institution and you seek the timing benefit of Fed. R. Bankr. P. 8002(c)(1), complete Director's Form 4170 (Declaration of Inmate Filing) and file that declaration along with the Notice of Appeal.]